IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 1214 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/06/2004 in WP NO : 7838 OF 1999 on the file of the High Court.)

Between:

A.P.Electrical Equipment Corp. Industrial Estate,

Visakhapatnam. **..... APPELLANT**

AND

1.R.Natarajan, S/o.Late N.G.Rangaswamy
C/o.Ramagopal, 103,B.N.R.Apartments,

Khairatabad, Hyderabad.
2.Parekh Fabricators, Industrial Estate,

Visakhapatnam.
3.The Presiding officer,

Labour Court, Vishakapatnam. **.....RESPONDENTS**

Counsel for the Appellant: MR.B.VIJAYSEN REDDY

Counsel for the Respondent Nos.1 & 2: Mr.A.K.Jayaprakash

Counsel for the Respondent No.3: G.P. for Labour

The Court made the following:

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JUDGMENT: (PER SRI BN, J)

The first respondent preferred a claim under Section 2(A)(2) of the Industrial Disputes Act, 1947, before the Labour Court. The Labour Court on consideration of evidence, made an award of reinstatement with full back wages and continuity of service. The learned single Judge, before whom the award was challenged, considered the evidence as well as the documents that had been placed before the Labour Court, and came to the conclusion that there was no illegality in the award.

We are conscious of the fact that in this writ appeal, we cannot scrutinize the evidence once again. On scrutiny of evidence, the Labour Court has found that this was a case of retrenchment contrary to the provisions of Section 25(F) of the Industrial Disputes Act. Therefore, in our view no interference in the order of the learned single Judge is called for. Writ Petition is dismissed. No costs.

(BILAL NAZKI, J)

13TH OCTOBER, 2004

(S.ANANDA REDDY, J)

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Copy to:

1.The Presiding officer,

Labour Court, Vishakapatnam.

2. Two CCs to the G.P. for Labour,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T.)

3.Two CD copies.